

EXHIBIT 1

INTRODUCTION

Respondent Robert Meyerson is a member of the Dental Examiners Board for the Department of Consumer Affairs (the “Department”). He assumed office on January 4, 1999. As a member of the Dental Examiners Board, Respondent is a designated employee of the Department, as defined in Section 82019, subdivision (c) of the Political Reform Act (the “Act”),¹ and in the Department’s conflict of interest code.

Under the Act and the Department’s conflict of interest code, each designated employee of the Department is required to file an annual statement of economic interests by April 1st of each year that the official remains in office (unless April 1st falls on a Saturday, Sunday, or official holiday, in which case the filing deadline is extended to the next regular business day).² On the statement of economic interests, the designated official must disclose his or her reportable economic interests held during the preceding calendar year.

The Enforcement Division handled this case on an expedited basis under the SEI Expedited Procedures adopted by the Commission in July of 1999.

In this matter, Respondent failed to file a 2001 annual statement of economic interests by the April 2, 2002 due date.

For the purposes of this Stipulation, Respondent’s violation is stated as follows:

As a designated employee of the Department of Consumer Affairs, Respondent Robert Meyerson failed to file a 2001 annual statement of economic interests by April 2, 2002, in violation of Section 87300 of the Government Code.

SUMMARY OF THE LAW

An express purpose of the Act, as set forth in Section 81002, subdivision (c), is to ensure that the assets and income of public officials, which may be materially affected by their official actions, be disclosed, so that conflicts of interest may be avoided.

In furtherance of this purpose, Section 87300 requires every agency to adopt and promulgate a conflict of interest code. The agency’s conflict of interest code must specifically designate the employees of the agency who are required to file statements of economic interests,

¹ The Political Reform Act is contained in Government Code sections 81000 through 91014. All statutory references are to the Government Code, unless otherwise indicated. The regulations of the Fair Political Practices Commission are contained in sections 18109 through 18997 of Title 2 of the California Code of Regulations. All regulatory references are to Title 2, Division 6 of the California Code of Regulations, unless otherwise indicated.

² Regulation 18116.

disclosing their reportable investments, business positions, interests in real property, and other income. Under Section 82019, subdivision (c), and Section 87302, subdivision (a), the persons who are to be designated in an agency's conflict of interest code are the officers, employees, members, and consultants of the agency, whose position with the agency entails making, or participating in making, governmental decisions that may have a reasonably foreseeable material effect on one or more of the person's economic interests.

Section 87302, subdivision (b) provides that an agency's conflict of interest code must require each new designated employee to file an annual statement of economic interests, for each year that the employee remains in office, at a time specified in the agency's conflict of interest code, disclosing his or her reportable economic interests held during the preceding calendar year.

Under the provisions of the Department's conflict of interest code, each designated employee must file his or her statements of economic interests with the Department, which shall retain a copy of the statement, and forward the original to the Fair Political Practices Commission (the "Commission"), which has been designated in the Department's conflict of interest code as the filing officer for the Department.

Under Section 87300, the requirements of an agency's conflict of interest code have the force of law, and any violation of those requirements is deemed a violation of the Act.

SUMMARY OF THE FACTS

Respondent is a member of the Dental Examiners Board for the Department of Consumer Affairs. He assumed office on January 4, 1999. As a member of the Dental Examiners Board, Respondent is a designated employee of the Department, as defined in Section 82019, subdivision (c), and in the Department's conflict of interest code.

Under the Department's conflict of interest code, Respondent was required to file a 2001 annual statement of economic interests by April 2, 2002.

Respondent failed to file an annual statement of economic interests by the April 2, 2002 due date, in violation of Section 87300.

On January 10, 2002, Emily Bowden of the Commission's SEI Unit, sent a letter to Respondent, advising him that his 2001 annual statement of economic interests was past due, and asking him to file the statement within 30 days. On July 22, 2002, after receiving no reply from Respondent, Ms. Bowden sent a second letter to Respondent, stating that his 2001 annual statement of economic interests remained past due, and urging Respondent to file the statement within ten days. When the statement was not filed in response to Ms. Bowden's letters, the matter was then referred to the Enforcement Division.

On October 1, 2002, Mary Ann Kvasager, the SEI Coordinator for the Enforcement Division, contacted Respondent by telephone. During that conversation, Ms. Kvasager advised Respondent that his 2001 annual statement of economic interests was past due, and instructed him to file the statement immediately.

Respondent filed his 2001 annual statement of economic interests on October 4, 2002.

CONCLUSION

This matter consists of one count of violating Section 87300, which carries a maximum administrative penalty of Five Thousand Dollars (\$5,000). Under the SEI Expedited Procedures adopted by the Commission in July 1999, the approved administrative penalty for a person who files a delinquent statement of economic interests within thirty days of being contacted by the SEI Coordinator for the Enforcement Division, and agrees to an early resolution of the matter, is between \$200-\$300. In this case, Respondent filed his delinquent statement three days after being contacted by the Enforcement Division SEI Coordinator. Therefore, the facts of this case justify imposition of the agreed upon penalty of Two Hundred Dollars (\$200).